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Amendments to the Claims

Please amend claims 1 and 14 as follows.

1. (Currently Amended) A method of communicating Constant Bit Rate ("CBR") data and Variable Burst Rate ("VBR") data in a single RF carrier via a communication system, said method comprising the steps of:

determining whether the data stream is CBR or VBR;

when said data stream is CBR, communicating the CBR data stream using Code Division Multiplexing/Code Division Multiple Access ("CDM/CDMA") with first spreading factor codewords, whereby a CBR-CDMA data signal is generated; and

when said data stream is VBR data, communicating the VBR data stream using Time Division Multiplexing/Time Division Multiple Access ("TDM/TDMA") and CDM/CDMA with second spreading factor codewords, wherein said second spreading factor codewords comprise a dynamic parameter determined from a required Signal-to-Interference Ratio of said VBR data stream and an amount of power remaining of a total power budget after power allocation to said CBR data stream.

2. (Original) The method according to claim 1, wherein the step of communicating the CBR data stream using CDM/CDMA comprises the steps of:

spreading the CBR data stream at a transmitter using CDM/CDMA with the first spreading factor codewords; and

transmitting the CBR-CDM or CBR-CDMA data signal in an allocated transmission channel.

3. (Original) The method according to claim 1, wherein the step of communicating the VBR data stream using TDM/TDMA and CDM/CDMA comprises the steps of: